

ARTICLE 2. To vote by ballot on the following amendments to the Windham Zoning Ordinance and Zoning District Map as proposed by the Planning Board.

Planning Board Amendment #1: Workforce Housing Lot Size Revision

Amend the provisions of Appendix-A of the Windham Zoning Ordinance Table of Requirements for Minimum Lot Area by deleting the following language in the “Minimum Lot Area By Soil Type”:

The lot sizing standards for Workforce Housing developments, as defined in NH RSA 674:58 are those required by NH DES Regulations Env-Wq 1000. Site Specific Soil Survey Mapping, including certified soils testing data, certified topographic and wetlands plans, and detailed soil area plans and spreadsheets shall be utilized in the calculations.

Planning Board Amendment #2: Workforce Housing Net Tract Density

Amend the provisions of Section 619 of the Windham Zoning Ordinance relating to the Workforce Housing Overlay District as follows:

- A. Amend Section 619.4 by insertion of the following new definition following the definition of Single Family (Detached) Dwelling Unit:

Net Tract Area: Contiguous useable land excluding wetlands, land within the Wetlands and Watershed Protection District (WWPD), flood plains, surface waters, hydric soils, vernal pools, rights of way, easements except slope easements, and land with slopes greater than 25%. In the case of mixed-use sites, building footprints and paved areas for parking and circulation, which are not also used by the workforce housing development, shall be deducted.

- B. Amend Section 619.7.1.1 by addition of the words at the end thereof:

“using only the Net Tract Area of the property.”

Planning Board Amendment #3: Rock Pond Watershed Proposal

Amend the provisions of Section 616 of the Windham Zoning Ordinance relating to the Cobbett's Pond and Canobie Lake Watershed Protection Overlay District as follows:

- A. Amend the Title to Section 616 to read:

Windham Surface Water Watershed Protection Overlay District (WPOD) [Note – also change the designation to the Table of Contents]

- B. Amend Section 301.16 to read:

Windham Surface Water Watershed Protection Overlay District.

- C. Amend Section 302 by replacing the words “Cobbetts Pond and Canobie Lake Watershed Overlay Protection District” with “Windham Surface Water Watershed Protection Overlay District”.

- D. Amend Section 616.1.1 by deleting the same and replacing it with the following:

616.1.1 Pursuant to RSA 674: 21, the Town of Windham adopts a WPOD and accompanying regulations to ensure the protection and preservation of significant surface water bodies within the Town of Windham and their watersheds from the effects of point and non-point source pollution or sedimentation. The establishment of the WPOD and the adoption of these regulations are intended:

- E. Amend Section 616.2.1 by deleting the same and replacing it with the following:

616.2.1 The special provisions established in this Watershed Protection Ordinance shall apply to all development proposals and to potential contaminating activities within the WPOD. The boundaries of the WPOD have been delineated by the NH DES using current location data for the following waterbodies:

616.2.1.1 Canobie Lake Watershed Overlay District Parcel Map dated 11/15/2011

616.2.1.2 Cobbetts Pond Watershed Overlay District Parcel Map dated 1/27/2000

616.2.1.3 Rock Pond Watershed Overlay District Parcel Map dated 11/24/2000.

- F. Amend Section 616.7.2 by deleting the same and replacing it with the following:

616.7.2 The study shall make use of existing water quality historical data of the protected water body to the maximum extent possible. If new data is to be relied upon, the Town reserves the right to have the data reviewed by an independent expert at the expense of the developer, before the study is deemed complete and ready for review.

- G. Amend Section 616.8.1 by deleting the words “Cobbetts Pond and Canobie Lake” and replacing them with “the protected water body”.
- H. Amend Section 616.8.4.6 by deleting the words “Cobbetts Pond and Canobie Lake” and replacing them with “the protected water body”.
- I. Amend Sections 616.10.1, 616.10.2, 616.10.3 and 616.10.4 by deleting the words “Cobbetts Pond and Canobie Lake” and replacing them with “the protected water body”.

Planning Board Amendment #4: Moekel Pond Watershed Proposal

Amend the provisions of Section 616 of the Windham Zoning Ordinance relating to the Cobbett’s Pond and Canobie Lake Watershed Protection Overlay District as follows:

- A. Amend the Title to Section 616 to read:

Windham Surface Water Watershed Protection Overlay District (WPOD) [Note – also change the designation to the Table of Contents]

- B. Amend Section 301.16 to read:

Windham Surface Water Watershed Protection Overlay District.

- C. Amend Section 302 by replacing the words “Cobbetts Pond and Canobie Lake Watershed Overlay Protection District” with “Windham Surface Water Watershed Protection Overlay District”.

- D. Amend Section 616.1.1 by deleting the same and replacing it with the following:

616.1.1 Pursuant to RSA 674: 21, the Town of Windham adopts a WPOD and accompanying regulations to ensure the protection and preservation of significant surface water bodies within the Town of Windham and their watersheds from the effects of point and non-point source pollution or sedimentation. The establishment of the WPOD and the adoption of these regulations are intended:

- E. Amend Section 616.2.1 by deleting the same and replacing it with the following:

616.2.1 The special provisions established in this Watershed Protection Ordinance shall apply to all development proposals and to potential contaminating activities within the WPOD. The boundaries of the WPOD have been delineated by the NH DES using current location data for the following waterbodies:

616.2.1.1 Canobie Lake Watershed Overlay District Parcel Map dated 11/15/2011.

616.2.1.2 Cobbetts Pond Watershed Overlay District Parcel Map dated 1/27/2000.

616.2.1.3 Moekel Pond Watershed Overlay District Parcel Map dated 11/24/2000, but only as to Subdistrict #4.

F. Amend Section 616.7.2 by deleting the same and replacing it with the following:

616.7.2 The study shall make use of existing water quality historical data of the protected water body to the maximum extent possible. If new data is to be relied upon, the Town reserves the right to have the data reviewed by an independent expert at the expense of the developer, before the study is deemed complete and ready for review.

G. Amend Section 616.8.1 by deleting the words “Cobbetts Pond and Canobie Lake” and replacing them with “the protected water body”.

H. Amend Section 616.8.4.6 by deleting the words “Cobbetts Pond and Canobie Lake” and replacing them with “the protected water body”.

I. Amend Sections 616.10.1, 616.10.2, 616.10.3 and 616.10.4 by deleting the words “Cobbetts Pond and Canobie Lake” and replacing them with “the protected water body”.

Contingent Operation – If Planning Board Article #3, Rock Pond Watershed Proposal should be adopted, Sections A-D and F-I will not be effective, and in Section E, the proposed 612.2.1.3 shall be designated 612.2.1.4.